

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

THE 24-7 GROUP OF COMPANIES, INC., )  
a Nevada corporation, )  
  
Plaintiff, )  
  
vs. )  
  
TERRY ROBERTS, an individual; )  
MELANIE ROBERTS, an individual; and )  
WELLS FARGO BANK, N.A., etc., )  
  
Defendants. )

3:13-cv-00211-MMD-WGC

**ORDER DENYING**  
**REQUEST TO VACATE (Doc. # 38);**  
**AND**  
**ORDER TO SHOW CAUSE**

Before the court is the Request to Vacate submitted by Rune Kraft (Kraft), who identifies himself as Chairman of THE 24-7 GROUP OF COMPANIES (24-7). (Doc. # 38.)<sup>1</sup> Kraft contends Plaintiff 24-7 did not receive the motion for leave to withdraw as counsel of record submitted by Phillip Stone, Esq. (Doc. # 36.) However, attorney Stone's motion contains a certificate of service which includes Kraft and 24-7 as addressees. (*Id.* at 7.) The Plaintiff's Request includes a copy of counsel's letter to Kraft/24-7 advising of and enclosing the court's order, but Kraft contends the order did not accompany Mr. Stone's letter.

Despite the contention neither counsel's motion nor the court's order were received by Kraft/24-7, the court is not inclined to change its decision allowing Mr. Stone to withdraw. Therefore, the request to vacate (Doc. # 38) is **DENIED**. Nevertheless, the clerk is directed to **mail** this order, counsel's motion (Doc. # 36) and the court's order granting the motion (Doc. # 37) to Kraft/24-7 at the address listed on the Request (Doc. # 38).

As reflected in Docs. # 36 and #37, on July 15, 2014, this court entered an order granting the motion of attorney Phillip Stone, Esq., to withdraw as counsel of record for Plaintiff The 24-7 Group

---

<sup>1</sup> Refers to court's docket number.

1 of Companies (Doc. # 37). The court further stated in its minute order, as it has in the past (Doc. # 23),  
2 that a corporation may only appear in federal court only through a licensed attorney. *United States v.*  
3 *High Country Broad Co.*, 3 F.3d 1244, 1245 (9th Cir. 1993); *In re America W. Airlines*, 40 F.3d 1058,  
4 1059 (9th Cir. 1944) (per curiam). Therefore, the court further ordered Plaintiff, The 24-7 Group of  
5 Companies, Inc., to procure replacement counsel not later than thirty (30) days from the date of that  
6 order. Plaintiff was advised that the unexplained failure to obtain substitute counsel will cause this court  
7 to sua sponte issue a Report and Recommendation to the District Court that this action should be  
8 dismissed. To date, Plaintiff has not retained substitute counsel to represent the Plaintiff corporation in  
9 this action.

10 Although this court previously stated that the failure of Plaintiff to secure replacement counsel  
11 within thirty (30) days of its July 15, 2014 Order would cause this court to sua sponte enter a  
12 recommendation that this case should be dismissed, nevertheless the court will conduct a telephonic  
13 status conference on **Friday, September 5, 2014, at 1:30 p.m.**, to allow plaintiff's representative,  
14 Mr. Rune Kraft, to show cause why a report and recommendation should not be entered recommending  
15 dismissal of this action for failure to obtain counsel to represent the corporate plaintiff herein. Those  
16 parties wishing to appear telephonically shall dial **1-877-873-8017**, enter the access code **3416460**, and  
17 enter the security code **91514** approximately five (5) minutes prior to the hearing.

18 **IT IS SO ORDERED.**

19 DATED: August 21, 2014

20   
21 WILLIAM G. COBB  
22 UNITED STATES MAGISTRATE JUDGE  
23  
24  
25  
26  
27  
28